

REMARKS

Claims 1-7 and 9-104 are pending in this application. By this Amendment, claims 1 and 46 are amended, and claim 8 is canceled. Reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Applicants thank Examiner Willett for the courtesy extended to Applicants' representative, Mr. Luo, during the August 12, 2004, personal interview. The substance of the personal interview is incorporated in the following remarks.

The Office Action indicates, in the "status" section of the "Office Action Summary" page, that the current Office Action is "responsive to communication filed on March 18, 2002." However, there is no communication that is filed on March 18, 2002. Accordingly, clarification from the Patent Office is respectfully requested.

The Examiner is respectfully requested to acknowledge the claim of priority based on U.S. Provisional Patent Application No. 60-249,962, filed November 20, 2000, as claimed in the substitute declaration filed on October 24, 2001.

The Office Action requires restriction to the claims. Applicants confirm the provisional election of group I, claims 1-14, 36-49, 84 and 85, with traverse.

It is respectfully submitted that many of the reasons set forth in support of the Restriction Requirement are now moot. For example, the claims of the elected group now recite a "table," as the claims in other of the groups.

Additionally, it is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must

examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

The Office Action rejects claims 1-14, 36-49, 84 and 85 under 35 U.S.C. §102(e) over U.S. Patent 6,591,103 to Dunn et al. This rejection is respectfully traversed.

The Office Action asserts that Dunn discloses all elements recited in claims 1-14, 36-49, 84 and 85. Applicants respectfully submit that Dunn does not disclose or suggest a table of information downloaded from a home network of a wireless device to the wireless device, as recited in claims 1 and 46.

Dunn discloses a user device that listens on a shared command channel for locations, pricing and frequency availability that are broadcast by a plurality of participating service providers. See col. 8, lines 42-50. Dunn discloses listening to the broadcasts on the shared command channel, but does not disclose or suggest downloading a table of information from a home network to the user device. Therefore, Dunn does not disclose or suggest a table of information downloaded from a home network of a wireless device to the wireless device, as recited in claims 1 and 46.

For at least the above reasons, Dunn does not disclose or suggest each and every element recited in claims 1 and 46. In addition, claims 2-14 and 47-49 are each patentable over Dunn by virtue of their dependence on claims 1 and 46, respectively, as well as for the additional features they recite.

Furthermore, Applicants respectfully submit that Dunn does not disclose or suggest a home network, as recited in claims 36, 84 and 85.

Dunn discloses a central selection agency (CSA) that determines a network for a user device based on the user preferences and the availability of networks. See col. 3, lines 24-45. Applicants respectfully submit that the disclosed central selection agency is merely a switch box. A central selection agency is not a network, much less a home network of a wireless communication device. Thus, Dunn does not disclose or suggest a home network, as recited in claims 36, 84 and 85.

For at least the above reasons, Dunn does not disclose or suggest each and every element recited in claims 36, 84 and 85. In addition, claims 37-45 are each patentable over Dunn by virtue of their dependence on claim 36, as well as for additional features they recite.

Accordingly, withdrawal of the rejection of claims 1-7, 9-14, 36-49, 84 and 85 under 35 U.S.C. §102(e) is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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JAO:GXL/sqb
Date: August 24, 2004

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